

ASSESSMENT APPEAL INFORMATIONAL GUIDE

The purpose of this pamphlet is to help acquaint you with the assessment appeal process. We hope it will help you understand how the system works and what you must do to make use of it.

PROPERTY APPRAISAL: Any assessment year in which real property, or a portion thereof, is purchased, is newly constructed or changes ownership becomes the **Base Year**. The Assessor then assesses the property at 100 percent of the full cash value.

Increases in the assessed value of real property (other than the allowable 2% inflationary factor), result primarily from reappraisals due to change in ownership or new construction.

Whenever a reappraisal is made, the Assessor mails a notice to the owner showing the new full value and the reason for the value change. If your opinion of the value differs from the Assessor's appraisal, you should contact the Assessor's Office at (530) 889-4300 to discuss it with them. Often, the problem can be resolved at this point.

FILING AN APPEAL: After talking with the Assessor, if there still is a significant difference between the appraisal and your opinion of value, you may file an application for a hearing before the Assessment Appeals Board. It is important to file your appeal within the specified time frames.

Regular Appeal: – Forms to file a regular appeal are available through the Clerk of the Board, 175 Fulweiler Ave., Auburn, CA 95603 (530) 889-4020 beginning July 2 and until November 30 each year. Applications postmarked after November 30 will be rejected.

Supplemental Assessment, Escape Assessment and Roll Correction Appeals:

Supplemental, Escape, and Roll Correction Assessment Appeals must be postmarked within **60 days** of the notice date sent by the Assessor. Forms are available at the Clerk of the Boards Office.

The Assessment Appeals Board has no jurisdiction to hear an appeal application unless it is filed within the specified time established by the State Board of Equalization.

BASIS FOR THE APPEAL: The application must show your opinion of the full value and the reason you believe the Assessor's value is incorrect. The Assessment Appeals Board has no legal authority to reduce an assessment because of an increase in value or taxes from prior years, your ability to pay taxes, or the manner in which tax funds are spent. The function of the Board is to determine the full value of property on the basis of evidence presented.

WHAT HAPPENS TO THE APPLICATION:

After you file an application, the Assessment Appeals Clerk copies the information for the Assessor's Office to review. If the Assessor feels that an error may have been made in their assessment, they will contact you directly to discuss the situation. If they feel no error has been made in their appraisal, then it is scheduled for a hearing before the Assessment Appeals Board. The Board has up to two (2) years to hear an appeal. The Clerk notifies you in writing 60 to 45 days prior to the scheduled hearing date.

APPEARANCE AT THE HEARING: The applicant or the agent authorized by the applicant, must be present at the hearing or the application will be denied for non-appearance. If the applicant or the authorized agent are unable to attend the hearing on the date set by the Clerk of the Board, with good cause, one

request for continuance may be granted with a written request received in writing **21 days** prior to the date of hearing.

If you do not plan to attend the hearing, please contact the Clerk of the Assessment Appeals' Board at (530) 889-4020. If the Assessor has previously offered you a reduction, and you now agree with that value, please sign and return the withdrawal or stipulation form which they sent to you. If that form is not signed and returned, the Board may deny your application for non-appearance and no value change will occur.

PREPARING FOR YOUR HEARING: The law presumes the Assessor has properly valued the property. At hearing you must be prepared to present evidence to support a different value or the application will be denied.

In the case of an owner occupied single-family dwelling, the Assessor must present evidence to support his valuation. However, you should still be prepared to present evidence in support of your opinion of value.

If you disagree with your assessment based on the fair market value, you should be prepared to support your opinion of value by the use of 1) comparable sales, 2) construction costs, or 3) an income approach.

Comparable Sales: – When reliable market data is available, this is the preferred method of valuation. If your appeal is on residential property, you should be prepared to use this method as there is normally a large amount of data available for single-family residences.

You should be prepared to present date of sale, sale price, and make comparison of that property to your property. The sale date of the comparable can be any time prior to the required appraisal date, but no more than 90 days after.

Since no two properties are exactly alike, adjustments should be made for such differences as size, age, condition, quality, location etc. You should be prepared to make this type of comparison.

Construction Cost: The cost approach to value is preferred when no reliable sales or income data is available. A replacement cost estimate should include all normal costs of construction, such as architect's fees, building permit fees, contractor's overhead and profit, and other necessary costs.

Income Approach: The income approach to value is used for property which is typically purchased in anticipation of a monetary income. In this approach, you must estimate the amount of income the property is capable of producing and capitalize that income stream into a value. When using this method, you should be prepared to justify the income projection, the vacancy and expense allowances, and the capitalization rate. Any available sales or cost information should also be prepared.

CHANGE IN OWNERSHIP: A "change in ownership" means a transfer of a present interest in real property, including the beneficial use thereof, the value of which is substantially equal to the value of the fee interest. There are, however, many types of transfers excluded from the definition of change in ownership.

Under current law, the Assessor is required to reappraise real property whenever a change in ownership occurs. If you have no argument with the valuation, but believe the property should not have been reappraised, you should talk to the Assessor's Office concerning the type of evidence you need to prepare.

OUTCOME OF THE APPEAL: Acting on the evidence presented at the hearing, the Assessment Appeals Board will determine the

full value of the property. The decision may be given at the conclusion of the hearing or taken under submission, in which case the applicant will be notified of the decision in writing. The decision of the Board is final.

REQUEST FOR FINDINGS: If findings are desired, the request, with deposit, must be submitted to the Clerk, prior to the commencement of the hearing. Findings are generally only needed in the event the Boards' decision is going to be appealed to a higher court. The fee for findings is collected on the day of the hearing. Findings are provided within 120 days after the final determination of the Board.

PAYMENT OF TAXES: Despite the fact that you have filed an application for reduction, you are still obliged to pay your property taxes when due. If you have paid your taxes and are subsequently granted a reduction, you will receive a refund. If you do not pay your taxes when they become due, and the Board makes no change in the assessment, you will expose yourself to late payment penalties and interest.

APPEALS CHECKLIST

File the appeal within the specified time.

Be sure **all** questions are answered on the application and it is **properly signed** or it may be considered invalid and not acceptable.

Be sure you or your agent appears at the scheduled hearing.

Be prepared to present evidence to support your opinion.

Pay your taxes when due, even if you have filed an appeal, to avoid delinquent penalties.

APPEALING YOUR PROPERTY ASSESSMENT

AN INFORMATIONAL GUIDE



**PLACER COUNTY ASSESSMENT
APPEALS BOARD**
175 Fulweiler Avenue
Auburn, CA 95603
TELEPHONE: (530) 889-4020
FAX: (530) 889-4099